IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 11366 of 1994

Between:

M/s Jai Agencies,

rep. by its Partner, S.S. Mani,

having its Office at 5-1-698, Kattalmandi, Hyderabad.

..... PETITIONER

AND

1 Union of India, rep. by its Secretary,

Weights & Measures Department, New Delhi.
2 The Controller of Weights and Measures, Musheerabad, Hyderabad.
3 The Inspector, Legal Metrology, Weights & Measures Department,

Bodhan, Nizamabad District, 503 185.
4 The Hon'ble Judicial First Class Magistrate, Bodhan,

Nizamabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction calling for the records and to declare and order that the provisions of Section 39(4) (5) and Rule 83 (1) (r) of the Standards of Weights and Measures Act, 1976 and Rule 2 (r) and Rule 6 (e) of the Standards of Weights and Measures Package Commodities Rules of 1977 are ultra virus or unconstitutional and be struck down and consequently to quash the proceedings against the petitioner firm on the file of the Hon'ble Judicial First Class Magistrate, Bodhan, Nizamabad District, which is numbered as S.T.C. No.163 of 1994 on its file and to grant such other relief as the petitioner is entitled to in the circumstances of the case.

Counsel for the Petitioner: MR. D.V.CHALAPATHI RAO for MR.Y.N.LOHITA

Counsel for the Respondents: MR. A.RAJASHEKHAR REDDY

(ASST. SOLICITOR GEN.)

S.C. FOR WEIGHTS & MEASUREMENTS

MR.P.LAKSHMA REDDY

The Court made the following :

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ORDER:

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Learned Counsel, Sri. D.V.Chalapathi Rao, representing the learned counsel for the petitioner, Sri.Y.N.Lohitha, submits that the writ petition has become infructuous.

The writ petition is therefore, dismissed as infructuous. No costs.

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(G.CHANDRAIAH, J)

Dated: 13.07.2005

vs

To

1 The Secretary, Union of India,

Weights & Measures Department, New Delhi.
2 The Controller of Weights and Measures, Musheerabad, Hyderabad.
3 The Inspector, Legal Metrology, Weights & Measures Department,

Bodhan, Nizamabad District, 503 185.
4 The Hon'ble Judicial First Class Magistrate, Bodhan,

Nizamabad District.

5 Two CCs to the Assistant Solicitor General, High Court of A.P.,

Hyderabad(O.U.T).

6 2 CD copies.